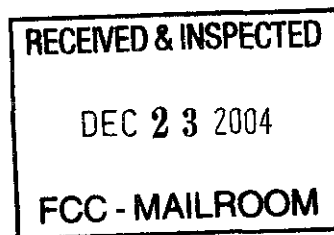




DOCKET FILE COPY ORIGINAL



December 20, 2004

VIA OVERNIGHT DELIVERY

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Re: Operator Service Company
Response to Opposition of the American Public Communications Council to
Requests for Additional Time to File System Audit Reports, CC Docket No. 96-
128.

Dear Ms. Dortch:

Enclosed, on behalf of Operator Service Company, and for no other, are the original and four (4) copies of the above-referenced response. Also enclosed is a proof of filing copy that we ask be date stamped and returned to us in the accompanying self-addressed, post pre-paid envelope.

Please contact the undersigned with any questions or requests for additional information.

Sincerely,

Stephen Ross, J.D.
OSC Legal Department
806-747-2474 x 4219
806-747-0-757 – facsimile
steve.ross@osc.com

Enclosures.

cc: Service List

No. of Copies rec'd
List ABCDE

RECEIVED & INSPECTED

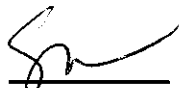
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FCC - MAILROOM

CERTIFICATE OF SERVICE
CC Docket No. 96-128

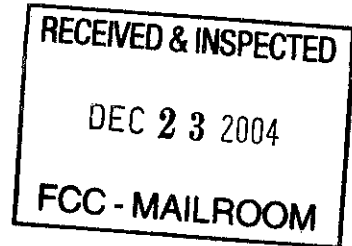
The undersigned certifies that on December 20, 2004, she caused to be forwarded the foregoing Response to Opposition of the American Public Communications Council to Requests for Additional Time to File System Audit Report via first class U.S. Mail, postage pre-paid to the following:

Albert H. Kramer Robert F. Aldrich 2101 L Street, N.W. Washington, D.C. 20037-1526	Ann Jouett Kinney 201 East Fourth Street Room 102-890 Cincinnati, OH 45202
Eric J. Branfman Kathleen Greenan Ramsey Danielle C. Burt Swidler, Berlin, Shereff, Friedman, L.L.P. 2000 K Street, N.W., Suite 300 Washington, D.C. 20007	John F. Jennings Big River Telephone, L.L.C. 24 South Minnesota Cape Girardeau, MO 63701
Daniel Hamm Controller Total Call International 707 Wilshire Blvd. – 9 th Floor Los Angeles, CA 90017	Katheleen Greenan Ramsey Kathy L. Cooper Swidler, Berling, Shereff, Friedman, L.L.P. 2000 K Street, N.W., Suite 300 Washington, D.C. 20007
Dana Frix Kemal Hawa Chadbourn & Parke, L.P. 1200 New Hampshire Ave., N.W. Suite 300 Washington, D.C. 20036	Terry J. Romine US LEC Corp, 6801 Morrison Blvd. Charlotte, NC 28211
Cherie R. Kiser Angela F. Collins Mintz, Levin, Cohn, Ferris Glovsky, & Popeo, P.C. 701 Pennsylvania Ave., N.W. Suite 9900 Washington, D.C. 20004	



Susan North

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554



In the Matter of

CC Docket No. 96-128

Implementation of the Pay Telephone
Reclassification and Compensation
Provisions of the Telecommunications
Act of 1996

RESPONSE BY OPERATOR SERVICE COMPANY
TO OPPOSITION OF THE AMERICAN PUBLIC
COMMUNICATIONS COUNSEL ("APCC") TO REQUESTS FOR
ADDITIONAL TIME TO FILE AUDIT SYSTEM REPORTS

Operator Service Company ("OSC"), on behalf of itself, and for no other, hereby responds to the Opposition filed by the American Public Communications Counsel ("APCC") dated as of December 6, 2004 in the above-referenced styled proceeding ("Opposition") and requests that the Federal Communications Commission ("FCC") dismiss the Opposition because it was untimely filed.

Under Section 1.45 (b) of the FCC's rules and regulations, 47 C.F.R. Section 1.45 (b), an opposition to any motion, petition or request may be filed within ten (10) days of the original pleading. OSC filed its Petition for Waiver (Extension of Time) on or about October 15, 2004, and its pleading is posted on the FCC's electronic filing website. The Opposition filed by the APCC was filed with the FCC on December 6, 2004 – clearly more than ten (10) days after the original Petition for Waiver (Extension of Time) was filed by OSC with the FCC. APCC fails to provide any reason as to why it waited almost two (2) months to file their Opposition nor does it seek relief from the FCC's rules to file its late-filed pleading.

Accordingly, as APCC failed to timely file its Opposition, OSC asks the FCC to dismiss the opposition as it relates to OSC's Petition for Waiver (Extension of Time) filed in the above-styled proceeding.

Respectfully submitted,

Operator Service Company

By: Stephen Ross

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Dated: December 17, 2004